

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ERIC BERRINGER,

Petitioner

vs.

PENNSYLVANIA BOARD OF  
PROBATION AND PAROLE, et al.,

Respondents

CIVIL NO. 1:CV-00-1994

(Judge Rambo)

(Magistrate Judge Blewitt)

FILED  
SCRANTON

NOV 30 2000

ORDER

PER

DEPUTY CLERK

AND NOW, this 30 day of November, 2000, petitioner having paid the \$5.00 filing fee, **IT IS HEREBY ORDERED** that:

1. The Clerk is directed forthwith to serve a copy of the petition (Doc. 1), together with this Order, by certified mail on the Attorney General of the Commonwealth of Pennsylvania.
2. Respondents, within twenty (20) days of the date of this Order, shall respond to the petition for writ of habeas corpus in the manner required by Rule 5, 28 U.S.C.A. foll. §2254:

The answer shall respond to the allegations of the petition. In addition it shall state whether the petitioner has exhausted his state remedies including any post-conviction remedies available to him under the statutes or procedural rules of the state and including also his right of appeal both from the judgment of conviction and from any adverse judgment or order in the post-conviction proceeding. The answer shall indicate what transcripts (of pretrial, trial, sentencing, and post-conviction proceedings) are available, when they can be furnished, and also what proceedings have been recorded and not transcribed. There shall be attached to the answer such portions of the transcripts as the answering party deems relevant. The court on its own

motion or upon request of the petitioner may order that further portions of the existing transcripts be furnished or that certain portions of the non-transcribed proceedings be transcribed and furnished. If a transcript is neither available nor procurable, a narrative summary of the evidence may be submitted. If the petitioner appealed from the judgment of conviction or from an adverse judgment or order in a post-conviction proceeding, a copy of the petitioner's brief on appeal and of the opinion of the appellate court, if any, shall also be filed by the respondent with the answer.

3. A determination as to whether there will be a hearing will be made after the filing of a response.

4. Petitioner may, if he so desires, file a reply to the response within ten (10) days of its filing.

5. The Clerk is directed to note the address of the District Attorney of Snyder County, Pennsylvania, on the front of the docket sheet in this case. All documents filed by the parties and by the Court shall be served upon the District Attorney.

  
**THOMAS M. BLEWITT**  
United States Magistrate Judge

Dated: November 30, 2000

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

November 30, 2000

Re: 1:00-cv-01994 Berringer v. PA Board of Probatio

True and correct copies of the attached were mailed by the clerk  
to the following:

Eric Berringer  
SCI-R  
SCI at Rockview  
BV-2424  
P.O. Box A  
Bellefonte, PA 16823

Michael B. Fisher  
Attorney General's Office  
Strawberry Square  
15th Floor  
Harrisburg, PA 17120

DA Snyder County  
PO Box 217  
Middleburg, PA 17842

cc:  
Judge ( )  
Magistrate Judge ( )  
U.S. Marshal ( )  
Probation ( )  
U.S. Attorney ( )  
Atty. for Deft. ( )  
Defendant ( )  
Warden ( )  
Bureau of Prisons ( )  
Ct Reporter ( )  
Ctroom Deputy ( )  
Orig-Security ( )  
Federal Public Defender ( )  
Summons Issued ( ) with N/C attached to complt. and served by:  
U.S. Marshal ( ) Pltf's Attorney ( )  
Standard Order 93-5 ( )  
Order to Show Cause (X) with Petition attached & mailed certified mail  
to: US Atty Gen ( ) PA Atty Gen (X)  
DA of County (X) Respondents (X)

11/30/00

7

U.S. Postal Service  
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